

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A recombinant nucleic acid encoding an Apop3 protein that comprises an amino acid sequence at least 85% identical to the amino acid sequence depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein affects induces apoptosis.
2. (Previously Amended) A recombinant nucleic acid according to claim 1 comprising the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement.
3. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said nucleic acid hybridizes under high stringency conditions to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement, wherein the hybridization takes place at 60°C in the presence of between 0.01 M and 1.0 M sodium ion, and at a pH between 7.0 and 8.3.
4. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 85% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement.
5. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said Apop3 protein comprises the amino acid sequence depicted in Figure 6 (SEQ ID NO:6)
6. (Original) A recombinant nucleic acid according to claim 1 wherein said Apop3 protein is a human Apop3 protein.
7. (Previously Amended) A recombinant nucleic acid comprising nucleotides 1-822 depicted in Figure 5 (SEQ ID NO:5), or its complement.

8. (Original) A recombinant nucleic acid according to claim 1 operably linked to control sequences recognized by a host cell transformed with the nucleic acid.
9. (Original) An expression vector comprising the nucleic acid of claim 1.
10. (Original) A host cell comprising the nucleic acid of claim 1.
11. (Original) A host cell comprising the expression vector of claim 9.
12. (Currently Amended) A recombinant Apop3 protein comprising an amino acid sequence at least 85% identical to the amino acid sequence depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein ~~affects~~ induces apoptosis.
13. (Previously Amended) An Apop3 protein according to claim 12 comprising the amino acid sequence depicted in Figure 6 (SEQ ID NO:6).
14. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid comprising the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement.
15. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid which nucleic acid comprises a nucleotide sequence at least 85% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement.
16. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid which nucleic acid will hybridize under high stringency conditions to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement, wherein the hybridization takes place at 60°C in the presence of between 0.01 M and 1.0 M sodium ion, and at a pH between 7.0 and 8.3.
17. (Original) An Apop3 protein according to claim 12 wherein said Apop3 protein is a human Apop3 protein.

18. (Currently Amended) A recombinant Apop3 protein comprising the amino acid sequence 1-274 depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein ~~affects~~ induces apoptosis.

19. (Original) A process for producing an Apop3 protein according to claim 12 comprising culturing the host cell of claim 10 under conditions suitable for expression of said Apop3 protein.

20. (Original) A process according to claim 19, further comprising recovering said Apop3 protein.

21-24. (Cancelled)

25. (Currently Amended) A method for screening for a bioactive agent capable of modulating the activity of an Apop3 protein according to claim 12, said method comprising the steps of:

a) adding a candidate bioactive agent to a cell comprising a recombinant nucleic acid encoding said Apop3 protein, wherein said Apop3 protein ~~affects~~ induces apoptosis; and

b) determining the effect of the candidate bioactive agent on apoptosis, thereby determining the ability of the candidate bioactive agent to modulate the activity of the Apop3 protein.

26. (Original) A method according to claim 25 wherein a library of candidate bioactive agents is added to a plurality of cells comprising a recombinant nucleic acid encoding said Apop3 protein.

27. (New) The recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 90% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement.

28. (New) The recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 95% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement.

29. (New) The Apop3 protein according to claim 12, comprising an amino acid sequence at least 90% identical to SEQ ID NO:6.

30. (New) The Apop3 protein according to claim 12, comprising an amino acid sequence at least 95% identical to SEQ ID NO:6.